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D/F

September 22, 2009

VIA ECF

The Honorable Arthur D. Spatt
United States District Court
Eastern District of New York
Long Island Federal Courthouse
100 Federal Plaza
P.O.Box 9014
Central Islip, NY 11722

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ SEP 23 2009 ★

Re: *In re Agape Litig., Master File No. 09-CV-1606 (ADS)(AKT)* LONG ISLAND OFFICE

Dear Judge Spatt:

We represent the class-action plaintiffs in the above action. On August 31, 2009, defendant Bank of America, N.A. ("Bank of America") filed a 32 page memorandum of law in support of its motion to dismiss the Consolidated Class Action Complaint ("Complaint"). On that same day, defendant MF Global Inc. ("MF Global") separately filed a 30 page memorandum of law in support of its motion to dismiss the Complaint.

The class action plaintiffs intend to file an omnibus brief in opposition to defendants' motions. Accordingly, and in the interests of judicial economy, the class action plaintiffs respectfully request permission to file one 50 page opposition brief in lieu of two separate 25 page opposition briefs (the page limit designated in section IV. B(i) of Your Honor's Individual Motion Practices). We contacted counsel for defendants Bank of America and MF Global and they each have consented to this request.

Respectfully submitted,

Request GRANTED.

So Ordered.

Edward Y. Kroub

cc: Michael D. Schissel
Anthony L. Paccione

Arthur D. Spatt, U.S.D.J.

9/23/09